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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,720	03/23/2001	Yusuke Kinoshita	205006US2	5624

  

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314		

  

EXAMINER	
RYMAN, DANIEL J	

  

ART UNIT	PAPER NUMBER
2616	

  

NOTIFICATION DATE	DELIVERY MODE
11/19/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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## Office Action Summary

Application No.

09/814,720

Applicant(s)

KINOSHITA ET AL.

Examiner

Daniel J. Ryman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-6,8 and 11-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-6,8 and 11-21 is/are allowed.
- 6) ☒ Claim(s) 22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to: See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 April 2007 has been entered.
2. Applicant's arguments with respect to claims 22 and 23 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et al. (USPN 6,442,616).
5. Regarding claim 22, Inoue discloses a communication system, comprising: a first address changing device (Figs. 1 and 5: data packet processing device, see col. 11, line 28-col. 12, line 5) in a first network configured to change a sender address of a packet from a local address (H-addr, see col. 5, lines 53-67) to a global address (M-addr, see col. 5, lines 53-67), the packet sent from a node in the first network (col. 11, lines 49-57, where if the CH is in an external network and the MH is in a private network, then the data packet processing device must change the source

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address of the packet, i.e. the sender address of the packet, from H-addr to M-addr, see also col. 11, line 64-col. 12, line 5); and a global address sending device (Figs. 1 and 5: data packet processing device) in the first network configured to send said global address to a second address changing device in a second network when a node moves from said first network to said second network (col. 14, lines 8-25, where “it is necessary to update all the address information provided in the entire network system by the latest information containing the obtained M-addr,” such that the address information in the first address changing device would be sent to the second address changing device).

Inoue does not expressly disclose that the global address sending device in the first network sends the global address used for the node when the node was in the first network to a second address changing device in a second network. However, Inoue does disclose that, when the mobile host is in its organization network, such that it communicates using the H-addr, and it wants to communicate with a correspondence host in an external network, the global address sending device will have to change the H-addr in the source address to an M-addr (col. 11, line 64-col. 12, line 5). This implicitly discloses that when a mobile host in a private network initiates communication with a correspondence host in an external network then the data packet processing device will have to assign the mobile host a global address, i.e. M-addr. Inoue also discloses that a mobile host can obtain M-addr through other methods (col. 14, lines 8-25). Since Inoue describes the system in terms of a correspondence host communicating with a mobile host (col. 11, lines 49-57), these other methods of obtaining a M-addr are used when a correspondence host attempts to communicate with a mobile host that has not yet been assigned a M-addr. Inoue discloses that “when the mobile computer obtains M-addr by any of the [other

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methods], it is necessary to update all the address information provided in the entire network system by the latest information containing the obtained M-addr" (col. 14, lines 22-25). It is implicit that this address update is necessary because it ensures that the host will be able to maintain communication when it moves. By extension, when the mobile host obtains M-addr from the data packet processing device when it initiates communication, it would also be "necessary to update all the address information provided in the entire network system by the latest information containing the obtained M-addr." As such, it would have been obvious to one of ordinary skill in the art at the time of the invention to send the global address used for the node when the node was in the first network from a global address sending device in the first network to the second address changing device in the second network to ensure that the host maintains communication when it moves.

6. Regarding claim 23, Inoue discloses a communication system, comprising: a first address changing device (Figs. 1 and 5: data packet processing device, see col. 11, line 28-col. 12, line 5) in a first network configured to change a sender address of a packet from a local address (H-addr, see col. 5, lines 53-67) to a global address (M-addr, see col. 5, lines 53-67), the packet sent from a node in the first network (col. 11, lines 49-57, where if the CH is in an external network and the MH is in a private network, then the data packet processing device must change the source address of the packet, i.e. the sender address of the packet, from H-addr to M-addr, see also col. 11, line 64-col. 12, line 5); and a global address receiving device (Figs. 1 and 5: data packet processing device) in a second network configured to receive said global address from said first address changing device when a node moves from said first network to said second network (col. 14, lines 8-25, where "it is necessary to update all the address information provided in the entire

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network system by the latest information containing the obtained M-addr,” such that the address information in the first address changing device would be sent to the second address changing device).

Inoue does not expressly disclose that a global address receiving device in the second network receives the global address used for the node when the node was in the first network to a from the first address changing device in the first network. However, Inoue does disclose that, when the mobile host is in its organization network, such that it communicates using the H-addr, and it wants to communicate with a correspondence host in an external network, the global address sending device will have to change the H-addr in the source address to an M-addr (col. 11, line 64-col. 12, line 5). This implicitly discloses that when a mobile host in a private network initiates communication with a correspondence host in an external network then the data packet processing device will have to assign the mobile host a global address, i.e. M-addr. Inoue also discloses that a mobile host can obtain M-addr through other methods (col. 14, lines 8-25). Since Inoue describes the system in terms of a correspondence host communicating with a mobile host (col. 11, lines 49-57), these other methods of obtaining a M-addr are used when a correspondence host attempts to communicate with a mobile host that has not yet been assigned a M-addr. Inoue discloses that “when the mobile computer obtains M-addr by any of the [other methods], it is necessary to update all the address information provided in the entire network system by the latest information containing the obtained M-addr” (col. 14, lines 22-25). It is implicit that this address update is necessary because it ensures that the host will be able to maintain communication when it moves. By extension, when the mobile host obtains M-addr from the data packet processing device when it initiates communication, it would also be

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“necessary to update all the address information provided in the entire network system by the latest information containing the obtained M-addr.” As such, it would have been obvious to one of ordinary skill in the art at the time of the invention to receive the global address used for the node when the node was in the first network at a global address receiving device in the second network from a first address changing device in the first network to ensure that the host maintains communication when it moves.

***Allowable Subject Matter***

7. Claims 2-6, 8, and 11-21 are allowed. The prior art does not disclose or fairly suggest sending a notification message from the second address changing device to the first address changing device indicating that the first node has contacted the second address changing device; in response, sending sender address translation information from said first address changing device to said second address changing device; and periodically exchanging updated translation information between the first and second address changing devices.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Ryman whose telephone number is (571)272-3152. The examiner can normally be reached on Mon.-Fri. 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel J. Ryman  
Examiner  
Art Unit 2616

*Daniel Ryman*